

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
TERRE HAUTE DIVISION**

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
vs.	)	1:23-mj-00078-MG
	)	
KEITH DIEMER,	)	
Defendant.	)	

**COURTROOM MINUTES FOR JANUARY 30, 2023**  
**HONORABLE MARIO GARCIA, MAGISTRATE JUDGE**

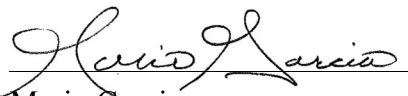
Parties appeared for an initial appearance in relation to an Arrest Warrant relating to an Indictment, filed in the District of New Mexico, Albuquerque Division, case no. 23-33-KWR.

Government is represented by AUSA, Matthew Rinka. Defendant appears in person with FCD counsel, Leslie Wine. Defendant submitted a financial affidavit. The Court determined as a preliminary matter that the defendant does not have sufficient assets to pay for counsel and is eligible for court appointed counsel. USPO is represented by Richard Martinez.

The Indictment is summarized in open court. The defendant is advised of his rights and nature of the charges. Defendant voluntarily executed a Waiver of Rule 5.1 Hearings in this Court. The defendant reserves the right to an identity hearing, a preliminary hearing, and a detention hearing in the District of New Mexico, Albuquerque Division.

Government is not seeking detention. See separate Order Setting Conditions of Release executed by the defendant and countersigned by the Court. The defendant is ordered RELEASED. Defendant shall contact the USPO within 24 hours following this hearing. Defendant shall return to New Mexico, as directed by USPO, for further proceeding before that Court.

Dated: January 30, 2023

  
Mario Garcia  
United States Magistrate Judge  
Southern District of Indiana

Distribution to:  
Counsel of Record  
USMS  
USPO

## UNITED STATES DISTRICT COURT

for the

District of New Mexico

United States of America  
v.

1:23-mj-78-MG

Case No. 23-CR-33 KWR

KEITH DIEMER

Defendant

## ARREST WARRANT

To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay(name of person to be arrested) KEITH DIEMER,

who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1038(a)(1): False Information and Hoaxes

Date: 01/10/2023

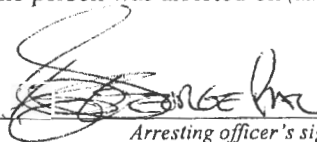
Issuing officer's signature

City and state: Albuquerque, NM

Mitchell R. Elfers, Clerk of Court

Printed name and title

## Return

This warrant was received on (date) 1-27-2023, and the person was arrested on (date) 1-30-2023  
at (city and state) INDIANAPOLIS, INDIANA.Date: 1-30-2023

Arresting officer's signature

SPECIAL AGENT, FBI

Printed name and title

## UNITED STATES DISTRICT COURT

for the

Southern District of Indiana

United States of America

v.

KEITH DIEMER

Defendant

Case No. 1:23-mj-0078-MG

Charging District's Case No. 23-33KWR

**WAIVER OF RULE 5 & 5.1 HEARINGS  
(Complaint or Indictment)**I understand that I have been charged in another district, the *(name of other court)* DISTRICT OF NEW MEXICO

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing within 14 days of my first appearance if I am in custody and 21 days otherwise — unless I am indicted — to determine whether there is probable cause to believe that an offense has been committed;
- (5) a hearing on any motion by the government for detention;
- (6) request transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.

☒ an identity hearing, production of the warrant, and any preliminary or detention hearing to which I may be entitled in this district. I request that those hearings be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

1-30-23

Keith Diemer

Defendant's signature

Signature of defendant's attorney

Leslie Wine

Printed name of defendant's attorney